



**RCA
CITY OF AUSTIN
RECOMMENDATION FOR COUNCIL ACTION**

**AGENDA ITEM NO.: 7
AGENDA DATE: Thu 04/14/2005
PAGE: 1 of 2**

SUBJECT: Authorize an increase in the construction contingency to the construction contract with SPAWGLASS CONTRACTORS, INC., Austin, TX, for the Convention Center Parking Garage and Austin Energy District Cooling Plant in the amount of \$1,488,800 for a total contract amount not to exceed \$32,753,600.

AMOUNT & SOURCE OF FUNDING: Funding in the amount of \$1,488,800 is available in the Fiscal Year 2004-2005 Capital Budget of the Austin Energy Department.

FISCAL NOTE: A fiscal note is attached.

REQUESTING Public Works
DEPARTMENT:for Austin Energy;

**DIRECTOR'S
AUTHORIZATION:** Sondra Creighton

FOR MORE INFORMATION CONTACT: Robert Holland, AIA 404-4191; Laura Bohl, 974-7064

PRIOR COUNCIL ACTION: 05/11/00 - Authorize the filing of eminent domain proceedings to acquire the fee simple interests in lots 1-8 Block 38; 09/28/00 - Authorize negotiation and execution of a professional services agreement with Barnes Architects + Goetting & Associates Inc.. + Jaster Quintanilla a Joint Venture; 12/05/02 - Authorize negotiation and execution of an amendment to the professional services agreement; 05/22/03 - Construction contract award Bid Package #1 Site work to James Harper Construction Co.; 10/23/03 - Construction contract award for the Convention Center Parking Garage and Austin Energy District Cooling Plant to SpawGlass Contractors, Inc.

BOARD AND COMMISSION ACTION: Recommended by the Electric Utility Commission.

PURCHASING: N/A

MBE / WBE: 8.38% MBE and 24.65% WBE subcontractor participation to date.

This project is a joint venture of the Convention Center Department and the Electric Utility Department (d.b.a. Austin Energy). Construction of a low rise parking facility with approximately 685 parking spaces operated by the Convention Center Department to serve the recently completed facility expansion was substantially completed in February 2005. The street level retail shell component is expected to achieve substantial completion in March 2005. The attached District Cooling Plant, operated by Austin Energy, will allow downtown property owners the option of using this chilled water service and thereby allowing removal of chillers from their sites. This contract is for construction of the new Garage and District Cooling Plant along with the right-of-way improvements to bring the site perimeter into compliance with the Great Streets Program. Completion of this work will allow Austin Energy to provide chilled water service to downtown property owners.

The District Cooling Plant portion of this construction contract is scheduled to be completed in September 2005. This contingency funding authorization increase will provide sufficient funds for finish-out of the District Cooling Plant and connections to the downtown chilled water piping system, including resolution of any unanticipated utility relocation issues. And, since the contract cost for the District Cooling portion of the project was approximately 10% less than the amount that had been budgeted, Austin Energy has



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PAGE: 2 of 2**

sufficient remaining funding available in its Capital Budget to cover this increase.

The original 5% contract contingency has been used as follows:

| <u>Date/Source</u> | <u>CO#</u> | <u>Description</u> | <u>Amount</u> | <u>CO% Total %</u> |
|--------------------|------------|--|---------------|--------------------|
| 10/23/03 | | Original Contract | \$29,776,000 | |
| Contingency | 1 | 03/24/04 - Traffic Control/Utility conflicts | \$184,359 | 0.62% 0.62% |
| | 2 | 05/26/04 - Water service upgrade-Sabine | \$ 38,127 | 0.13% 0.75% |
| | 3 | 08/18/04 - Dev. Permit paving adds | \$140,574 | 0.47% 1.22% |
| | 4 | 10/08/04 - Grease Trap/Sabine San. Sewer | \$253,134 | 0.85% 2.07% |
| | 5 | 01/12/05 - State reqd.2nd Elevator Plant | \$283,536 | 0.95% 3.02% |
| | 6 | 02/16/05 - Electric Utility vault changes | \$152,368 | 0.51% 3.53% |
| | 7 | 03/09/05 - Plant operating hard/software | \$ 68,692 | 0.23% 3.76% |
| | 8 | Under negotiation - Operations monitoring controls and wiring, crane rail additions, additional traffic controls | \$368,010 | 1.24% 5.00% |
| | 9 | Proposed - Contingency increase for anticipated future change orders for unforeseen items required to successfully complete the remaining construction contract including finish out of the plant mezzanine for an operations office | \$1,488,800 | 5.00% 10.00% |
| | | Total current construction contract value | \$30,896,790 | |

Change order #8 pricing negotiations are in progress that will use the remaining authorized contract contingency. Approval of this item will allow for continued construction progress and the successful completion of the District Cooling Plant and the initiation of chilled water service from this plant location.

Participation goals stated in the solicitation were 2.05% African American, 9.61% Hispanic, 0.83% Native/Asian American, and 6.66% WBE.

Subcontractor participation on the original contract compliance plan was 2.06% African American, 4.57% Hispanic, 0.70% Asian/Native American, 10.9% WBE and 61.24% Non M/WBE subcontractor participation.

Overall M/WBE participation to date for this project is as follows: 1.95% African American, 4.36% Hispanic, 2.07% Asian/ Native American, 24.65% WBE and 57.55% Non M/WBE subcontractor participation.



**Electric Utility Commission
March 21, 2005
Meeting**

Authorize an increase in the construction contingency to the construction contract with SPAWGLASS CONTRACTORS, INC., for the Austin Energy District Cooling Plant in the amount of \$1,488,800 for a total contract amount not to exceed \$32,753,600.

Motion by: Fath

Seconded by: Carr

Ayes: Carr, Fath, Owens, Shaw, and Weston

Nays: NONE

Abstaining: NONE

Off the dais: Fernandez

Absent: LeGette and Skeith

The Commission approved this item, 5-0.

CIP BUDGET
Fiscal Note

DATE OF COUNCIL CONSIDERATION:

4/7/2005

WHERE ON AGENDA:

Resolution

DEPARTMENT:

Austin Energy

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FINANCIAL INFORMATION:

Parent Project Name: **Non-Electric Plant Assets - Chillers**
Project Authorization: 2004-2005 Approved Capital Budget

| | | |
|-----------------------|-------------------|-------------------------|
| Current Appropriation | \$ 102,067,916.00 | |
| Unencumbered Balance | | \$ 20,899,197.95 |
| Amount of This Action | | <u>(1,488,800.00)</u> |
| Remaining Balance | | <u>\$ 19,410,397.95</u> |

Use of Remaining Balance:

Remaining funds will be used for design, construction, equipment, and material acquisition to complete the project.

Use of Any Remaining Funds After Completion of Project:

No remaining funds anticipated at this time.

Director, Planning & Budget

Signature: 

Date: 3/17/05